

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52381 of 2023

Arising Out of PS. Case No.-152 Year-2019 Thana- PIPRA District- Supaul

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PARMOD DAS @ AJAY DAS S/O SATYADEV DAS R/O VILLAGE-
KAHRA, P.S- SAHARSA SADAR, DISTT.- SAHARSA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Pipra P.S.
Case No. 152 of 2019 registered for the offence under Sections
392 of the Indian Penal Code.

Three unknown persons are alleged to have committed
loot of Rs. 475000/-, passbook, cheque book A.T.M. card, Pan card
from the informant.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case on the basis of his previous criminal antecedent. He
further submits that the petitioner has not been named in the
F.I.R., however, his name transpired in this case on the basis of
confessional statement of the co-accused, Panchanand Das. He



further submits that nothing has been recovered from the house or conscious possession of the petitioner and till date no T.I.P. has been conducted by the prosecution. Save and except the confessional statement of the petitioner and the previous criminal antecedent, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 06.01.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries twelve cases other than the present one but he fairly submits on the basis of supplementary affidavit that the petitioner has been allowed bail in all cases as mentioned in paragraph-3 of the petition.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Supaul in connection with Pipra P.S. Case No. 152 of 2019 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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